SUPPORT FOR THE AMENDMENTS

This Amendment amends Claims 1, 5 and 7. Support for the amendments is found in the specification and claims as originally filed. In particular, support for Claim 1 is found in the specification at page 15, lines 26-27 ("C is useful for improving elongation characteristic. Particularly, if C is added in amount to the 0.25% or more ...") and Table 1, Steel Nos. 4 and 12 (C: "0.41"). No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-14 will be pending in this application. Claims 1 and 8 are independent. Claims 7-14 are withdrawn from consideration pursuant to a Restriction Requirement.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

The present invention provides a high-strength forged part superior in elongation. Specification at page 4, lines 4-8. The forged part includes a base phase structure and a second phase structure. The base phase structure contains 30% or more of ferrite, while the second phase structure contains retained austenite, as well as bainite and/or martensite. Specification at page 4, lines 13-27. C is an element essential for ensuring high strength and retained austenite, and is useful for improving elongation characteristic. Specification at page 15, lines 20-21, 25-26. Particularly, if C is added in an amount of 0.25% or more, the amount of retained austenite increases and the concentration of C into retained austenite becomes higher, thus affording an extremely high elongation. Specification at page 15, line 26 to page 16, line 3.

Claims 1-6 are rejected under 35 U.S.C. § 103(a) over Japanese Patent 2001-220641 ("JP-641") or Japanese Patent 2001-220648 ("JP-648").

JP-641 discloses a steel sheet having a structure having a main phase of polygonal ferrite and a second phase of martensite and/or retained austenite. JP '641 at English-language Abstract. JP '641's steel sheet comprises 0.05-0.25 mass % carbon. JP '641 at English-language Abstract.

JP-648 discloses a hot rolled steel sheet having a main phase comprising polygonal ferrite and a secondary phase comprising bainite and retained austenite. JP '648's steel sheet contains 0.05-0.25 mass % carbon. JP-648 at English-language Abstract.

However, JP-641 and JP-648 fail to suggest the independent Claim 1 limitation of a "forged part ... containing ... in mass % ... C: 0.41% to 0.6%". As discussed above, if C is added in an amount of 0.25% or more, the amount of retained austenite increases and the concentration of C into retained austenite becomes higher, thus affording an extremely high elongation. However, if C is added in excess of 0.6%, not only the effect thereof will become saturated, but also there will occur, for example, such a defect as is caused by center segregation into casting. Specification at page 15, line 26 to page 16, line 6.

Because the cited prior art fails to suggest all the limitations of independent Claim 1, the prior art rejection should be withdrawn.

Pursuant to M.P.E.P. § 821.04, after independent product Claim 1 is allowed, Applicants respectfully request rejoinder, examination and allowance of withdrawn method Claim 7, which includes all the limitation of product Claim 1.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the

application in even better condition for allowance, the Examiner is invited to contact

Applicant' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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